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10/075,888	02/13/2002	Barry P. Falvo	10622-16US	9314
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AKIN GUMP STRAUSS HAUER & FELD L.L.P. ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103			PENG, FRED H	
			ART UNIT	PAPER NUMBER
			2633	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/075,888	FALVO ET AL.
	Examiner fred peng	Art Unit 2633

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13 February 2002.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-25 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 02/13/02 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to: See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/13/02, 05/14/03.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: ____.

DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Ullman et al (US 6,018,768).

3. Regarding claim 1, Ullman anticipates a set-top box (STB) with a television and an auxiliary display device, with a method of changing program channels comprising:

- (a) The STB transmitting current tuned channel information to the auxiliary display device;
- (b) The Auxiliary display device determining a particular URL associated with the current tuned channel information; and
- (c) The Auxiliary display device presenting the web content associated with the URL on the display of the auxiliary display device

by " It is understood that there can exist alternative embodiments for use with the present invention. For example, the user can view the interactive program using a television set 114 or other display monitor in conjunction with the display screen of the personal computer 16. In this embodiment, the relevant Web pages are shown on the personal computer 16 while the video program is displayed on the television monitor 114. In this alternative embodiment, a cable set top box receives the television program from the multi-channel cable. The personal computer 16 also receives the video program from the multi-channel cable and extracts the URLs, embedded in the vertical blanking interval of the video signal or directly transmitted 94 over the Internet 20. The client software 106 extracts the URLs and retrieves the particular Web pages as described above. The Web pages are then synchronized with the particular video frames and presented to the user. See Col 9 lines 4-20".

Art Unit: 2633

4. Regarding claim2, Ullman further anticipates (d) the auxiliary display device presenting a hyperlink on the display, the hyperlink providing access to program channel data associated with a new tuned channel; and (e) activating the hyperlink to change the current tuned channel to the new tuned channel by "It is understood that a hyperlink may exist on the Web site that will allow the user to automatically load the client software and call up the specific television channel referenced in the Web site. See Col 9 lines 20-23".

5. Regarding claim3, Ullman further anticipates (f) correlating the program channel data to a virtual channel map (VCM) stored in the STB by The URLs are stored in a "Link File" for later transmission over the Internet to the user at the broadcasters entered time, which corresponds to the broadcast time of an associated program. See Col 3 lines 52-55. The records in the Link File preferably specify the time, Internet address (i.e. URL), label (such as an associated name), and some optional additional information, for each Web page the broadcaster 66 desires to launch during a show. Col 6 lines 44-48.

6. Regarding claim4, Ullman further anticipates from Claim1 step (c) that a web browser residing in the auxiliary display device using the URL to access a web site, the web site providing the web content to be presented on the display of the auxiliary display device by The system then directs the particular Web browser to retrieve the identified Web pages from the Internet. Upon receipt of the particular Web page(s), the system syncs the Web page(s) to the video signal, and at the appropriate times, presents the Web pages on one portion of the computer screen with the television video signal, shown in a window on another portion of the screen. See Col 3 lines 32-38.

7. Regarding claim5, Ullman further anticipates from Claim1 that step (a) is implemented in response to a user changing the current tuned channel by In this embodiment, the URL decoder 24 is located at the server site, as opposed to the subscriber location. When the decoder 24 receives the video program signal, it strips out the URL codes on line 21 of the VBI and delivers these codes independently to an Internet server 28. The URL code is then subsequently delivered over the Internet 20 to the user PC 16. Simultaneously, the video is broadcast over conventional broadcast or cable transmission means 36 to the user's personal computer 16. See Col 5 lines 62-67 and Col 6 lines 1-4.

Art Unit: 2633

8. Regarding claim6, Ullman further anticipates from Claim1 that step (a) is implemented in response to a user playing back a previously recorded program viewed on the television, the recorded program including program channel data by Preferably, the URLs identifying the Web site and time stamps are sent automatically to the desktop of each student in the virtual community, either during playback of a pre-recorded program or during a live event. See Col 10 lines 45-48.

9. Regarding claim7, Ullman anticipates a STB in communication with a remote server, a television and an auxiliary display device, with a method of changing program channels comprising:

- (a) Receiving, at the STB, a virtual channel map (VCM) from the remote server, the VCM including URL information associated with at least one program channel;
- (b) The STB transmitting the VCM to the auxiliary display device;
- (c) Storing the VCM in the auxiliary display device;
- (d) The STB transmitting current tuned channel information to the auxiliary display device;
- (e) The auxiliary display device correlating the current tuned channel information to a particular URL contained in the VCM; and
- (f) The auxiliary display device presenting web content associated with the particular URL on the display of the auxiliary display

by "In another preferred embodiment of the present invention, the VBI is not used to transmit the URLs to the user. In this alternative embodiment, member broadcasters enter the Internet through a member account, and will be provided with a graphical user interface for pre-scheduling Internet addresses, or URLs, for transmission to users at particular times of day. This interface could also be used to transmit real time live transmissions of URLs to users at the same time as a broadcast. The URLs are stored in a "Link File" for later transmission over the Internet to the user at the broadcasters entered time, which corresponds to the broadcast time of an associated program. The timing of URL's could be determined in advance or can be sent out live. This embodiment eliminates the need to place the URLs in the VBI, and also allows the broadcaster to store more than one Link File for transmission to users in different time zones. See Col 3 lines 44-59. The records in the Link File preferably specify the time, Internet address

Art Unit: 2633

(i.e. URL), label (such as an associated name), and some optional additional information, for each Web page the broadcaster 66 desires to launch during a show. See Col 6 lines 44-48".

10. Regarding claim8, Ullman further anticipates (g) the auxiliary display device presenting a hyperlink on the display of the auxiliary display device, the hyperlink providing access to program channel data associated with a new tuned channel; and (h) activating the hyperlink to change the current tuned channel to the new tuned channel by It is understood that a hyperlink may exist on the Web site that will allow the user to automatically load the client software and call up the specific television channel referenced in the Web site. See Col 9 lines 20-23.

11. Regarding claim9, Ullman further anticipates the program channel data is correlated to a VCM stored in the STB, and the STB changes the current tuned channel to the new tuned channel by The URLs are stored in a "Link File" for later transmission over the Internet to the user at the broadcasters entered time, which corresponds to the broadcast time of an associated program.

12. Regarding claim10, Ullman further anticipates step (e) comprising a web browser residing in the auxiliary display device using the particular URL to access a web site, the web site providing the web content to be presented on the display of the auxiliary display device by The system then directs the particular Web browser to retrieve the identified Web pages from the Internet. Upon receipt of the particular Web page(s), the system syncs the Web page(s) to the video signal, and at the appropriate times, presents the Web pages on one portion of the computer screen with the television video signal, shown in a window on another portion of the screen. See Col 3 lines 32-38.

13. Regarding claim11, Ullman further anticipates step (d) is implemented in response to a user changing the current tuned channel by In another preferred embodiment of the present invention, the VBI is not used to transmit the URLs to the user. In this alternative embodiment, member broadcasters enter the Internet through a member account, and will be provided with a graphical user interface for pre-scheduling Internet addresses, or URLs, for transmission to users at particular times of day. This interface could also be used to transmit real time live transmissions of URLs to users at the same time as a broadcast. The URLs are stored in a "Link File" for later transmission over the Internet to the user at the

Art Unit: 2633

broadcasters entered time, which corresponds to the broadcast time of an associated program. See Col 3 lines 44-55.

14. Regarding claim12, Ullman further anticipates step (d) is implemented in response to a user playing back a previously recorded program viewed on the television, the recorded program including program channel data by Preferably, the URLs identifying the Web site and time stamps are sent automatically to the desktop of each student in the virtual community, either during playback of a pre-recorded program or during a live event. See Col 10 lines 45-49.

15. Regarding claim13, Ullman further anticipates the STB transmits the current channel information to the auxiliary display device via the remote server by FIG. 2 is a diagram showing an alternative system embodiment to achieve the integration of the Internet information with the video content by decoding the uniform resource locators at a server site and then transmitting the URLs to the subscriber stations via the Internet. See Col 4 lines 19-23.

16. Regarding claim14, Ullman anticipates a communications system for changing program channels viewed on a television and presenting a web page associated with a current tuned channel, the system comprising: (a) a set-top box (STB) in communication with the television; and (b) an auxiliary display device which includes a display that presents a web page associated with a current tuned channel viewed on the television, wherein: (i) the STB transmits current tuned channel information to the auxiliary display device; (ii) the auxiliary display device determines a particular URL associated with the current tuned channel information; and (iii) the auxiliary display device presents web content associated with the particular URL on the display of the auxiliary display device by " the system claim limitations has been discussed with regards to the method claims of Claim1".

17. Regarding claim15, Ullman further anticipates (c) a wireless communication bridge, wherein the STB transmits the current tuned channel information to the auxiliary display device via the wireless communication bridge by seeing FIGS. 1, 2 and 5 that the connection between the processor and the display could also include the wireless connection.

18. Regarding claim16, Ullman further anticipates the auxiliary display device presents a hyperlink on the display of the auxiliary display device, the hyperlink providing access to program channel data

Art Unit: 2633

associated with a new tuned channel when activated by "It is understood that a hyperlink may exist on the Web site that will allow the user to automatically load the client software and call up the specific television channel referenced in the Web site. See Col 9 lines 20-23".

19. Regarding claim17, Ullman further anticipates the STB includes a virtual channel map (VCM), and the program channel data is correlated to the VCM by The URLs are stored in a "Link File" for later transmission over the Internet to the user at the broadcasters entered time, which corresponds to the broadcast time of an associated program. See Col 3 lines 52-55. The records in the Link File preferably specify the time, Internet address (i.e. URL), label (such as an associated name), and some optional additional information, for each Web page the broadcaster 66 desires to launch during a show. Col 6 lines 44-48.

20. Regarding claim18, Ullman further anticipates the auxiliary display device further comprises a web browser used to access a web site based on the particular URL, the web site providing data to be presented on the display of the auxiliary display device by The system then directs the particular Web browser to retrieve the identified Web pages from the Internet. Upon receipt of the particular Web page(s), the system syncs the Web page(s) to the video signal, and at the appropriate times, presents the Web pages on one portion of the computer screen with the television video signal, shown in a window on another portion of the screen. See Col 3 lines 32-38.

21. Regarding claim19, Ullman further anticipates the STB transmits current tuned channel information to the auxiliary display device in response to a user changing the current tuned channel by In this embodiment, the URL decoder 24 is located at the server site, as opposed to the subscriber location. When the decoder 24 receives the video program signal, it strips out the URL codes on line 21 of the VBI and delivers these codes independently to an Internet server 28. The URL code is then subsequently delivered over the Internet 20 to the user PC 16. Simultaneously, the video is broadcast over conventional broadcast or cable transmission means 36 to the user's personal computer 16. See Col 5 lines 62-67 and Col 6 lines 1-4.

22. Regarding claim20, Ullman further anticipates the communications system is a cable television (CATV) system by FIG. 5 is a diagram of another preferred embodiment including a digital cable box. The

Art Unit: 2633

particular video programming can be delivered in analog, digital or digitally compressed formats (e.g., MPEG2) via any transmission means, including satellite, cable, wire, television broadcast. See Col 4 lines 50-53.

23. Regarding claim21, Ullman anticipates a communications system for changing program channels viewed on a television and presenting a web page associated with a current tuned channel, the system comprising: (a) a remote server; (b) a set-top box (STB) in communication with the remote server and the television, the STB including a virtual channel map (VCM); and (c) an auxiliary display device which includes a display that presents a web page associated with a current tuned channel viewed on the television, wherein the STB transmits current tuned channel information to the auxiliary display device via the remote server by " the system claim limitations has been discussed with regards to the method claims of Claim7".

24. Regarding claim22, Ullman further anticipates (d) a cable modem in communication with the remote server; and (e) a wireless communication bridge, wherein the STB transmits the current tuned channel information to the auxiliary display device via the remote server, the cable modem and the wireless communication bridge by Alternatively, the URLs can be transmitted to the digital cable boxes 140 from an Internet server 148. The digital cable box 140 decodes the URLs from the digital video signal or directly transmitted over the Internet 20. See Col 9 lines 63-67. The digital cable box 140 can make a wireless connection with the display unit.

25. Regarding claim23, Ullman further anticipates the STB transmits current tuned channel information to the auxiliary display device in response to a user changing the current program channel by In another preferred embodiment of the present invention, the VBI is not used to transmit the URLs to the user. In this alternative embodiment, member broadcasters enter the Internet through a member account, and will be provided with a graphical user interface for pre-scheduling Internet addresses, or URLs, for transmission to users at particular times of day. This interface could also be used to transmit real time live transmissions of URLs to users at the same time as a broadcast. The URLs are stored in a "Link File" for later transmission over the Internet to the user at the broadcasters entered time, which corresponds to the broadcast time of an associated program. See Col 3 lines 44-55.

Art Unit: 2633

26. Regarding claim24, Ullman further anticipates the remote server is a cable head-end operated by a multiple system cable operator (MSO), the cable head-end comprising: (i) reverse data channel (RDC) equipment; (ii) a network control system (NCS); and (iii) a cable modem termination system (CMTS) by FIG. 5 is a diagram of another preferred embodiment including a digital cable box. FIG. 5 shows a digital back channel connecting from the digital cable box to content creation 4 which inherently is the cable head-end operated by a multiple system cable operator (MSO). The ordinary person in the art knows the digital cable head-end inherently includes (i) reverse data channel (RDC) equipment; (ii) a network control system (NCS); and (iii) a cable modem termination system (CMTS).

27. Regarding claim25, Ullman further the communications system is a cable television (CATV) system by FIG. 5 is a diagram of another preferred embodiment including a digital cable box.

Art Unit: 2633

Any inquiry concerning this communication or earlier communications from the examiner should be directed to fred peng whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 08:00-17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, shanon foley can be reached on (571)272-0898. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Fred Peng

Patent Examiner



Shanon Foley

Supervisory Patent Examiner